



80A 3510

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

AKIRA HIRAISHI

Serial No.: 10/772,937

Filed: February 5, 2004

For: MOLECULAR BIOLOGICAL  
IDENTIFICATION TECHNIQUES  
FOR MICROORGANISMS

Art Unit: --

Examiner: --

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicant for the above-identified application hereby submits legible copies of the following relevant arts along with the FORM PTO-1449 which contains the information required by 37 CFR 1.98(b):

- A. Wayne et al., "Report of the Ad Hoc Committee on Reconciliation of Approaches to Bacterial Systematics", *International Journal of Systematic Bacteriology*, Vol. 37, No. 4, Oct. 1987, pp. 463-464.
- B. Japanese Patent Application Laid-Open (Kokai) No. 2001-128679 published in Japan on May 15, 2001;
- C. Barry et al., "The 16s/23s ribosomal spacer region as a target for DNA probes to identify eubacteria", *PCR Methods Appl.*, 1, 1991, pp 51-56; and
- D. Japanese Patent Application National Publication No. H10-501976 published in Japan on February 24, 1998.

The English translation of the above-listed relevant art B and D is not available at this time to the undersigned, and such a translation is not attached hereto. Though prior art B is not in the English language, this publication is accompanied by English language abstract. In

addition, a concise explanation of relevance of prior art B and D is incorporated in the specification pursuant to 37 CFR 1.98(a)(3).

Accordingly, pursuant to MPEP Section 609, the requirement for a concise explanation of relevance pursuant to 37 CFR 1.98(a)(3) for the non-English language prior art is satisfied.

In view of the above, it is therefore respectfully requested that the Patent Office make a record of these relevant arts and consider them.

Respectfully submitted,  
KODA & ANDROLIA

By 

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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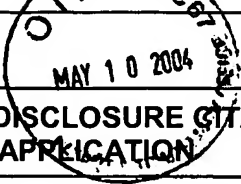
William L. Androlia

Name

5/6/2004

Signature

Date

FORM PTO-1449	Docket Number (Optional) 80A 3510	Application Number 10/772,937
 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>	Applicant Akira Hiraishi	
(Use several sheets if necessary)	Filing Date 2/5/2004	Group Art Unit --

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	JP 2001-128679	5/15/2001	Japan			
	JP H10-501976	2/24/1998	Japan			

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Wayne et al., "Report of the Ad Hoc Committee on Reconciliation of Approaches to Bacterial Systematics", <i>International Journal of Systematic Bacteriology</i> , Vol. 37, No. 4, Oct. 1987, pp. 463-464
	Barry et al., "The 16s/23s ribosomal spacer region as a target for DNA probes to identify eubacteria", <i>PCR Methods Appl.</i> , 1, 1991, pp 51-56

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.